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7 Attorneys for Cross-Defendants
BRIAN J. PARK, ANDREW J. PARK
and J&K CLOTHING, INC.
8 d/b/a LOVE LETTER COLLECTION

9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA
11 WESTERN DIVISION (LOS ANGELES)

12 HEM & THREAD, INC., a California
13 corporation, and HYUN KIM, an
individual,

14 Plaintiffs,

15 v.

16 WHOLESALEFASHIONSQUARE.COM,
17 INC., a California corporation;
DOWNTOWN 11th, Inc., a California
18 corporation; MIN LEE, an individual
doing business as ROUSSEAU;
19 ANDREW LEE, an individual doing
business as BOSWELL FASHION; and
20 DOES 1 through 10,

21 Defendants.

22 WHOLESALEFASHIONSQUARE.COM,
23 INC., a California corporation,

24 Crossclaimant

25 v.

26 BRIAN J. PARK, and individual,
ANDREW J. PARK, an individual, J & K
27 CLOTHING, INC. d/b/a LOVE LETTER
COLLECTION a.k.a. MI AMORE F/S, a
28 California Corporation; YOUNG H. CHO,

Case No. 2:19-cv-00283-CBM-AFM

**CROSS-DEFENDANTS
RESPONSES TO DEFENDANT
AND CROSS CLAIMANT
REQUESTS FOR PRODUCTION
OF DOCUMENTS (SET ONE)**

Judge: Hon. Consuelo B. Marshall
Ctrm: 8B

Complaint Filed: January 14, 2019

1 Request to the extent that the particular items and/or categories of documents are not
2 in the possession, custody or control of Cross-Defendant.

3 Subject to and without waiving the foregoing objections, Cross-Defendant
4 responds as follows: After conducting a reasonable search, Cross-Defendant is not
5 aware of any document responsive to this Request because to Cross-Defendant's
6 knowledge, no such documents exist or have ever existed. Cross-Defendant
7 reserves the right to amend or supplement this response should responsive
8 documents later be discovered.

9 **REQUEST FOR PRODUCTION NO. 5:**

10 All Communications and Documents with any party to the action and/or a
11 third party related to the purchase of the Alleged Infringing Garments.

12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 5:**

13 **Cross-Defendant Brian J. Park responds as follows:**

14 Cross-Defendant objects to this Request on the grounds it is duplicative and is
15 therefore unduly burdensome and harassing. Cross-Defendant specifically objects
16 to this Request on the grounds that it is overbroad and unduly burdensome and seeks
17 information that is not relevant, nor proportional to the needs of the case,
18 considering the importance of the issues at stake in the action, the amount in
19 controversy, the parties' relative access to relevant information, the parties'
20 resources, the importance of the discovery in resolving the issues, and whether the
21 burden or expense of the proposed discovery outweighs its likely benefit, or is
22 otherwise beyond the scope of permissible discovery. Cross-Defendant objects to
23 this Request on the grounds that it fails to describe with reasonable particularity the
24 category of documents Crossclaimant seeks to require Cross-Defendant to search
25 for, to locate, and to make available for inspection and copying. It is not reasonable
26 to describe documents by categories which bear no relationship to the manner in
27 which the documents are kept and requires a Cross-Defendant to determine which of
28 its records fit a demand that essentially seeks every document in Cross-Defendant's

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1 possession, custody, or control relating to a topic. Cross-Defendant objects to this
2 Request on the ground that it is overbroad and exceeds the scope of permitted
3 discovery in that it seeks to require Cross-Defendant to search for, locate and make
4 available for inspection and copying documents without limit as to scope and/or
5 time. Cross-Defendant objects to this Request to the extent that it seeks to require
6 Cross-Defendant to disclose to Crossclaimant and to its attorney confidential and/or
7 private information or documents that is protected and/or privileged based on rights
8 to privacy guaranteed by the United States Constitution and by the California
9 Constitution. Cross-Defendant objects to this Request to the extent it seeks
10 information from Cross-Defendant that is protected from disclosure by the attorney-
11 client privilege and/or by the attorney work-product doctrine. Cross-Defendant
12 objects to this Request on the ground it is overbroad, unduly burdensome and
13 harassing under the circumstances and merely intended to vex, harass, and annoy
14 Cross-Defendant. Cross-Defendant objects to this Request on the ground that it
15 assumes facts and/or imposes obligations on Cross-Defendant that do not exist.
16 Cross-Defendant objects to this Request on the ground that it requires Cross-
17 Defendant to identify and select any document or documents for production based
18 on a legal interpretation or an expert's opinion. Cross-Defendant objects to this
19 Request on the ground that it is not full and complete in and of itself and requires
20 reference to outside materials in order to understand the documents requested. To
21 the extent that this Request seeks ESI, Cross-Defendant objects on the ground that
22 ESI is duplicative and the burdens of producing ESI outweigh any potential benefits.
23 Cross-Defendant objects to this Request to the extent that the particular items and/or
24 categories of documents are not in the possession, custody or control of Cross-
25 Defendant.

26 Subject to and without waiving the foregoing objections, Cross-Defendant
27 responds as follows: After conducting a reasonable search, Cross-Defendant is not
28 aware of any document responsive to this Request because to Cross-Defendant's

1 knowledge, no such documents exist or have ever existed. Cross-Defendant
2 reserves the right to amend or supplement this response should responsive
3 documents later be discovered.

4 Cross-Defendant **Andrew J. Park** responds as follows:

5 Cross-Defendant objects to this Request on the grounds it is duplicative and is
6 therefore unduly burdensome and harassing. Cross-Defendant specifically objects
7 to this Request on the grounds that it is overbroad and unduly burdensome and seeks
8 information that is not relevant, nor proportional to the needs of the case,
9 considering the importance of the issues at stake in the action, the amount in
10 controversy, the parties' relative access to relevant information, the parties'
11 resources, the importance of the discovery in resolving the issues, and whether the
12 burden or expense of the proposed discovery outweighs its likely benefit, or is
13 otherwise beyond the scope of permissible discovery. Cross-Defendant objects to
14 this Request on the grounds that it fails to describe with reasonable particularity the
15 category of documents Crossclaimant seeks to require Cross-Defendant to search
16 for, to locate, and to make available for inspection and copying. It is not reasonable
17 to describe documents by categories which bear no relationship to the manner in
18 which the documents are kept and requires a Cross-Defendant to determine which of
19 its records fit a demand that essentially seeks every document in Cross-Defendant's
20 possession, custody, or control relating to a topic. Cross-Defendant objects to this
21 Request on the ground that it is overbroad and exceeds the scope of permitted
22 discovery in that it seeks to require Cross-Defendant to search for, locate and make
23 available for inspection and copying documents without limit as to scope and/or
24 time. Cross-Defendant objects to this Request to the extent that it seeks to require
25 Cross-Defendant to disclose to Crossclaimant and to its attorney confidential and/or
26 private information or documents that is protected and/or privileged based on rights
27 to privacy guaranteed by the United States Constitution and by the California
28 Constitution. Cross-Defendant objects to this Request to the extent it seeks

1 information from Cross-Defendant that is protected from disclosure by the attorney-
2 client privilege and/or by the attorney work-product doctrine. Cross-Defendant
3 objects to this Request on the ground it is overbroad, unduly burdensome and
4 harassing under the circumstances and merely intended to vex, harass, and annoy
5 Cross-Defendant. Cross-Defendant objects to this Request on the ground that it
6 assumes facts and/or imposes obligations on Cross-Defendant that do not exist.
7 Cross-Defendant objects to this Request on the ground that it requires Cross-
8 Defendant to identify and select any document or documents for production based
9 on a legal interpretation or an expert's opinion. Cross-Defendant objects to this
10 Request on the ground that it is not full and complete in and of itself and requires
11 reference to outside materials in order to understand the documents requested. To
12 the extent that this Request seeks ESI, Cross-Defendant objects on the ground that
13 ESI is duplicative and the burdens of producing ESI outweigh any potential benefits.
14 Cross-Defendant objects to this Request to the extent that the particular items and/or
15 categories of documents are not in the possession, custody or control of Cross-
16 Defendant.

17 Subject to and without waiving the foregoing objections, Cross-Defendant
18 responds as follows: Cross-Defendants will produce non-privileged documents that
19 are responsive to this request, if any, that are in Cross-Defendants' possession,
20 custody, or control that Cross-Defendants are able to locate following a reasonable
21 search.

22 Cross-Defendant **J & K Clothing, Inc.** responds as follows:

23 Cross-Defendant objects to this Request on the grounds it is duplicative and is
24 therefore unduly burdensome and harassing. Cross-Defendant specifically objects
25 to this Request on the grounds that it is overbroad and unduly burdensome and seeks
26 information that is not relevant, nor proportional to the needs of the case,
27 considering the importance of the issues at stake in the action, the amount in
28 controversy, the parties' relative access to relevant information, the parties'

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1 resources, the importance of the discovery in resolving the issues, and whether the
2 burden or expense of the proposed discovery outweighs its likely benefit, or is
3 otherwise beyond the scope of permissible discovery. Cross-Defendant objects to
4 this Request on the grounds that it fails to describe with reasonable particularity the
5 category of documents Crossclaimant seeks to require Cross-Defendant to search
6 for, to locate, and to make available for inspection and copying. It is not reasonable
7 to describe documents by categories which bear no relationship to the manner in
8 which the documents are kept and requires a Cross-Defendant to determine which of
9 its records fit a demand that essentially seeks every document in Cross-Defendant's
10 possession, custody, or control relating to a topic. Cross-Defendant objects to this
11 Request on the ground that it is overbroad and exceeds the scope of permitted
12 discovery in that it seeks to require Cross-Defendant to search for, locate and make
13 available for inspection and copying documents without limit as to scope and/or
14 time. Cross-Defendant objects to this Request to the extent that it seeks to require
15 Cross-Defendant to disclose to Crossclaimant and to its attorney confidential and/or
16 private information or documents that is protected and/or privileged based on rights
17 to privacy guaranteed by the United States Constitution and by the California
18 Constitution. Cross-Defendant objects to this Request to the extent it seeks
19 information or documents that Cross-Defendant deems proprietary, confidential,
20 trade secret, private, or otherwise protected from disclosure pursuant to California
21 Constitution, Article I, section I, or the California Evidence Code and/or the Federal
22 Rules of Evidence. Cross-Defendant objects to this Request to the extent it seeks
23 information from Cross-Defendant that is protected from disclosure by the attorney-
24 client privilege and/or by the attorney work-product doctrine. Cross-Defendant
25 objects to this Request on the ground it is overbroad, unduly burdensome and
26 harassing under the circumstances and merely intended to vex, harass, and annoy
27 Cross-Defendant. Cross-Defendant objects to this Request on the ground that it
28 assumes facts and/or imposes obligations on Cross-Defendant that do not exist.

1 Cross-Defendant objects to this Request on the ground that it requires Cross-
2 Defendant to identify and select any document or documents for production based
3 on a legal interpretation or an expert's opinion. Cross-Defendant objects to this
4 Request on the ground that it is not full and complete in and of itself and requires
5 reference to outside materials in order to understand the documents requested. To
6 the extent that this Request seeks ESI, Cross-Defendant objects on the ground that
7 ESI is duplicative and the burdens of producing ESI outweigh any potential benefits.
8 Cross-Defendant objects to this Request to the extent that the particular items and/or
9 categories of documents are not in the possession, custody or control of Cross-
10 Defendant.

11 Subject to and without waiving the foregoing objections, Cross-Defendant
12 responds as follows: Cross-Defendants will produce non-privileged documents that
13 are responsive to this request, if any, that are in Cross-Defendants' possession,
14 custody, or control that Cross-Defendants are able to locate following a reasonable
15 search.

16 **REQUEST FOR PRODUCTION NO. 6:**

17 All Communications and Documents with any party to the action and/or a
18 third party related to the sale of the Alleged Infringing Garments.

19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 6:**

20 **Cross-Defendant Brian J. Park responds as follows:**

21 Cross-Defendant objects to this Request on the grounds it is duplicative and is
22 therefore unduly burdensome and harassing. Cross-Defendant specifically objects
23 to this Request on the grounds that it is overbroad and unduly burdensome and seeks
24 information that is not relevant, nor proportional to the needs of the case,
25 considering the importance of the issues at stake in the action, the amount in
26 controversy, the parties' relative access to relevant information, the parties'
27 resources, the importance of the discovery in resolving the issues, and whether the
28 burden or expense of the proposed discovery outweighs its likely benefit, or is